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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
AZAD, ABUL K	

ART UNIT	PAPER NUMBER
2654	

DATE MAILED: 06/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/822,617	LUCHAUP, DANIEL	
	Examiner	Art Unit	
	ABUL K. AZAD	2654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 January 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6,8-11,15,17,18 and 22-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6,8-11,15,17,18 and 22-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This action is in response to the communication filed on January 21, 2005.

2. Claims 1-6, 8-11, 15, 17, 18, 22-25 are pending in this action. Claims 1, 6, 8, 9, 15 and 17 have been amended. Claims 7, 12-14, 16 and 19-21 have been canceled. Claims 22-25 have been newly added.

3. The applicant's arguments with respect to claims 1-6, 8-11, 15, 17, 18, 22-25 have been fully considered but they are not deemed to be persuasive. For examiner's response to the applicant's arguments or comments, see the detailed discussion in the Response to the Arguments section.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-5, 8, 10, 11, 15, 17-18 and 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knittel (US 6,606,280), in view of Kuhn et al. (US 6553,345).

Regarding claim 1 Knittel teaches, "a voice-translating remote control comprising":

"a microphone operable to receive a voice command and output a voice signal" (Fig. 2, element 45 a MIC to receive speech signal and deliver speech signal to device and base unit);

"an audio transmitter operably connected to the microphone to transmit an audio input signal to a host system based on the voice signal" (col. 4, lines 8-11, particularly reads on "it contains a microphone , amplification and filtering circuitry and a radio frequency (RF) transmitter. It also has an IR receiver and transmitter, collectively called the IR repeater; and col. 8, lines 1-29, particularly reads on "this output is then provide to an RF modulator 162 which is then transmits audio which has been received at the microphone through an internal antenna 163 to the base unit (host system)");

"a signal receiver arranged to receive a command signal transmitted by the host system; and a signal transmitter operably connected to the signal receiver to transmit a control signal to an appliance based on the command signal" (col. 10, lines 21-26, particularly reads on "the spoken command is recognized, the base unit 200 (host system) sends the associated IR command or commands via its IR transmitter 244 to the remote unit (a signal receiver), which is turn sends those commands back to the target audio/video devices (appliance)").

Knittel teaches voice operated remote control, but does not explicitly teach that voice command is nontrivial voice command and a user interface configured to display contents of the command signal. However, Kuhn teaches, a remote control operated by nontrivial voice command (col. 3, lines 9-17, and col. 3, line 66 to col. 4, line 10, here natural language understanding voice command reads on "nontrivial voice command"

according to definition given at the background section of the specification) and a user interface configured to display contents of the command signal (col. 4, lines 39-54). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use nontrivial voice command in the invention and display contents as prompt because Kuhn teaches his invention allows sophisticated natural language speech commands to be given to those older audio-video components (col. 2, lines 3-6).

Claim 2 is set forth including the limitations of claim 1. Knittel teaches those limitations as indicated there.

Knittel further teaches, "wherein the signal transmitter is one selected from the group consisting of an infrared transmitter and a radio frequency transmitter" (col. 4, lines 8-22, particularly reads on "it contains a microphone, amplification and filtering circuitry and a radio frequency (RF) transmitter. It also has an IR receiver and transmitter, collectively called the IR repeater).

Claim 3 is set forth including the limitations of claim 1. Knittel teaches those limitations as indicated there.

Knittel further teaches, "wherein the audio transmitter transmits the audio input signal to the host system via wireless communication, and the host system transmits the command signal to the signal receiver via wireless communication" (col. 2, lines 7-12, wireless transmitter; and col. 4, lines 8-22, here RF and IR repeaters are wireless communication).

Claim 4 is set forth including the limitations of claim 1. Knittel teaches those limitations as indicated there.

Knittel further teaches, "further comprising a memory for storing appliance identity information" (col. 9, line 47 to col. 10, line 20, particularly reads on "upon detecting a match between incoming speech and characteristics of a spoken command, the control microprocessor is "pointed" to another address in RAM that stores digital information for each IR command to be transmitted, including device codes, and these are written by the microprocessor into buffer and driver circuitry for an IR transmitter"; here device codes are appliance identity information).

Claim 5 is set forth including the limitations of claim 4. Knittel teaches those limitations as indicated there.

Knittel further teaches, "further comprising a speech-recognition processor for extracting appliance identification information from the voice signal" (col. 9, line 47 to col. 10, line 20, particularly reads on "upon detecting a match between incoming speech and characteristics of a spoken command, the control microprocessor is "pointed" to another address in RAM that stores digital information for each IR command to be transmitted, including device codes, and these are written by the microprocessor into buffer and driver circuitry for an IR transmitter").

Knittel teaches voice operated remote control, but does not explicitly teach that voice command is nontrivial voice command. However, Kuhn teaches, a remote control operated by nontrivial voice command (col. 3, lines 9-17, and col. 3, line 66 to col. 4, line 10, here natural language understanding voice command reads on "nontrivial voice

command" according to definition given at the background section of the specification). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use nontrivial voice command in the invention of Kinttel because Kuhn teaches his invention allows sophisticated natural language speech commands to be given to those older audio-video components (col. 2, lines 3-6).

Regarding claim 8, Knittel further teaches, "a voice-translating remote control system comprising":

"a host system comprising a host receiver, a speech-recognition processor, and a host transmitter, wherein the host receiver is operably connected to the speech-recognition processor, which is in turn operably connected to the host transmitter" (col. 4, lines 12-22, particularly reads on "it contains noise cancellation circuitry, a signal generator, a RF receiver, a speech recognition unit, a small computer and an IR receiver/transmitter pair("transceiver")"); "host system" reads on "base unit"); and

"a remote control comprising a microphone operable to receive a voice command and output a voice signal, an audio transmitter operably connected to the microphone to transmit an audio input signal to the host system based on the voice signal, a signal receiver arranged to receive a command signal transmitted by the host system, and a signal transmitter operably connected to the signal receiver to transmit a control signal to an appliance based on the command signal" (col. 4, lines 8-11, particularly reads on "it contains a microphone , amplification and filtering circuitry and a radio frequency (RF) transmitter. It also has an IR receiver and transmitter, collectively called the IR repeater;

and col. 8, lines 1-29, particularly reads on "this output is then provide to an RF modulator 162 which is then transmits audio which has been received at the microphone through an internal antenna 163 to the base unit (host system)" and col. 10, lines 21-26, particularly reads on "the spoken command is recognized, the base unit 200 (host system) sends the associated IR command or commands via its IR transmitter 244 to the remote unit (a signal receiver), which is turn sends those commands back to the target audio/video devices (appliance)").

Knittel teaches voice operated remote control, but does not explicitly teach that voice command is nontrivial voice command and a user interface configured to display contents of the command signal. However, Kuhn teaches, a remote control operated by nontrivial voice command (col. 3, lines 9-17, and col. 3, line 66 to col. 4, line 10, here natural language understanding voice command reads on "nontrivial voice command" according to definition given at the background section of the specification) and a user interface configured to display contents of the command signal (col. 4, lines 39-54). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use nontrivial voice command and display as prompt in the invention of Kinttel because Kuhn teaches his invention allows sophisticated natural language speech commands to be given to those older audio-video components (col. 2, lines 3-6).

Claim 10 is set forth including the limitations of claim 8. Knittel teaches those limitations as indicated there.

Knittel further teaches, "wherein the audio transmitter transmits the audio input signal to the host system via wireless communication, and the host system transmits the command signal to the signal receiver via wireless communication" (col. 2, lines 7-12, wireless transmitter; and col. 4, lines 8-22, here RF and IR repeaters are wireless communication).

Claim 11 is set forth including the limitations of claim 8. Knittel teaches those limitations as indicated there.

Knittel further teaches, "wherein the signal transmitter is one selected from the group consisting of an infrared transmitter and a radio frequency transmitter" (col. 4, lines 8-22, particularly reads on "it contains a microphone, amplification and filtering circuitry and a radio frequency (RF) transmitter. It also has an IR receiver and transmitter, collectively called the IR repeater).

Regarding claim 15, Knittel teaches, "a voice-translating remote control comprising":

"a microphone to receive a voice command and output a voice signal" (Fig. 2, element 45 a MIC to receive speech signal and deliver speech signal to device and base unit);

"a first transmitter means operably connected to the microphone for transmitting an audio input signal to a host system based on the voice signal" (col. 4, lines 8-11, particularly reads on "it contains a microphone , amplification and filtering circuitry and a radio frequency (RF) transmitter. It also has an IR receiver and transmitter, collectively called the IR repeater; and col. 8, lines 1-29, particularly reads on "this output is then

provide to an RF modulator 162 which is then transmits audio which has been received at the microphone through an internal antenna 163 to the base unit (host system)");

"a receiver means for receiving a command signal transmitted by the host system; and a second transmitter means operably connected to the receiver means for transmitting a control signal to an appliance based on the command signal" (col. 10, lines 21-26, particularly reads on "the spoken command is recognized, the base unit 200 (host system) sends the associated IR command or commands via its IR transmitter 244 to the remote unit (a signal receiver), which is turn sends those commands back to the target audio/video devices (appliance)").

Knittel teaches voice operated remote control, but does not explicitly teach that voice command is nontrivial voice command and a user interface configured to display contents of the command signal. However, Kuhn teaches, a remote control operated by nontrivial voice command (col. 3, lines 9-17, and col. 3, line 66 to col. 4, line 10, here natural language understanding voice command reads on "nontrivial voice command" according to definition given at the background section of the specification) and a user interface configured to display contents of the command signal (col. 4, lines 39-54). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use nontrivial voice command and display prompt in the invention of Kinttel because Kuhn teaches his invention allows sophisticated natural language speech commands to be given to those older audio-video components (col. 2, lines 3-6).

Kinttel does not explicitly teach, "a user interface for validating the command signal". However, Kuhn teaches, "a user interface for validating the command signal"

(col. 5, lines 48-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a user interface for validating the command signal in the invention of Kinttel because one of ordinary skill in the art would readily recognized that would provide a correct command transmission to view user's desire programs for maximum satisfaction.

As per claim 17, it is interpreted and thus rejected for the same reasons set forth in the rejection of claim 15.

Claim 18 is set forth including the limitations of claim 17. Knittel teaches those limitations as indicated there.

Knittel further teaches, "wherein transmitting the audio input signal to the host system is via wireless communication and transmitting the command signal to the remote control is via wireless communication" (col. 2, lines 7-12, wireless transmitter; and col. 4, lines 8-22, here RF and IR repeaters are wireless communication).

As per claims 22-25, Kittel does not explicitly teach, to modify the contents of the command. However, Kuhn teaches to modify the content of the command (col. 5, lines 45-53). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a user interface for validating and correcting the command signal in the invention of Kinttel because one of ordinary skill in the art would readily recognized that would provide a correct command transmission to view user's desire programs for maximum satisfaction

6. Claims 6 and 9 rejected under 35 U.S.C. 103(a) as being unpatentable over Kittel and Kuhn as applied to claims 1 and 8 above, and further in view of Salazar et al. (US 5,802,467).

Claim 6 is set forth including the limitations of claim 1. Knittel and Kuhn teaches those limitations as indicated there.

Knittel and Kuhn do not explicitly teach, the user interface is a liquid crystal display. However, Salazer teaches, the user interface is a liquid crystal display (Fig. 2, element 82). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a Liquid crystal display in the invention of Kuhn because one ordinary skill in the art would readily recognize that provides a brighter display.

Response to Arguments

7. The applicant argues that Knittel and Kuhn fail to teach displaying the contents of the command signal.

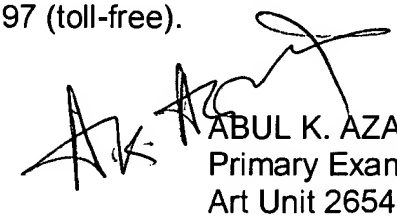
The examiner disagrees with applicant's above assertion because displaying the prompts to the user is similar as displaying the contents of the command signal, for example see col. 5, lines 48-53.

Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ABUL K. AZAD whose telephone number is (571) 272-7599. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, RICHEMOND DORVIL can be reached on (571) 272-7602. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ABUL K. AZAD
Primary Examiner
Art Unit 2654

May 26, 2005